

## CHAPTER I: INTRODUCTION

1.1	BACKGROUND.....	1-3
1.2	PURPOSE AND NEED .....	1-3
1.3	PROPOSED ACTION.....	1-3
1.4	AUTHORITY.....	1-4
1.5	NORTHEAST NATIONAL PETROLEUM RESERVE – ALASKA PLANNING AREA BOUNDARY .....	1-5
1.6	REQUIREMENTS FOR FURTHER ANALYSIS .....	1-5
1.7	CONSISTENCY WITH FEDERAL, STATE, AND LOCAL LAWS AND REGULATIONS.....	1-6
1.8	FEDERAL, STATE, AND NORTH SLOPE BOROUGH PERMITS AND APPROVALS NEEDED TO UNDERTAKE ON-THE-GROUND ACTIVITIES .....	1-8
1.9	INTERRELATIONSHIPS AND COORDINATION WITH OTHER AGENCIES AND GOVERNMENT-SPONSORED GROUPS.....	1-9
1.10	CONSULTATION.....	1-10
1.11	PUBLIC INVOLVEMENT AND KEY ISSUES .....	1-11
1.12	PREVIEW OF THE REMAINDER OF THE SUPPLEMENTAL IAP/EIS .....	1-12



## **CHAPTER I: INTRODUCTION**

### **1.1 BACKGROUND**

The Bureau of Land Management (BLM) is undertaking the Northeast National Petroleum Reserve-Alaska (NPR-A or Petroleum Reserve) Supplemental Integrated Activity Plan/Environmental Impact Statement (IAP/EIS) to supplement its Northeast NPR-A Final Amended IAP/EIS, which was issued in January 2005. This Supplement is necessary because on September 25, 2006 the U.S. District Court for the District of Alaska in *National Audubon Society v. Kempthorne* (case number 1:05-cv-00008-JKS), found inadequate an important aspect of the Amended IAP/EIS's cumulative impact analysis and as a result vacated the associated Record of Decision (ROD), dated January 11, 2006. The purpose and need and proposed action in the Supplement have not changed from that in the Amended IAP/EIS, and the issues are essentially the same in both documents. The range of alternatives in this Supplement, too, is almost entirely unchanged from those presented in the Amended IAP/EIS.

### **1.2 PURPOSE AND NEED**

The BLM's purpose and need has not changed from the Amended IAP/EIS; that is, to address the Nation's need for production of more oil and gas through additional leasing in the Northeast NPR-A (Maps 1-1 and 1-2). Congress authorized an oil and gas-leasing program in the NPR-A in the Department of the Interior and Related Agencies' Fiscal Year (FY) 1981 Appropriations Act (Public Law [PL] 96-514, December 12, 1980). Additionally, in 2001, the President created the National Energy Policy Development Group (NEPDG), consisting of the Vice-President and other key cabinet members. The primary task of the group was to "develop a national energy policy designed to help the private sector, and, as necessary and appropriate, state and local governments, and promote dependable, affordable, and environmentally sound production and distribution of energy for the future" (NEPDG 2001). In May 2001, the NEPDG released the National Energy Policy report, a comprehensive list of findings and key recommendations that form the basis of the President's National Energy Policy. In regard to the NPR-A, the policy directs the Secretary of the Interior to "consider additional environmentally responsible oil and gas development, based on sound science and the best available technology, through further lease sales in the National Petroleum Reserve – Alaska," and states that "such consideration should include areas not currently leased within the northeast corner of the National Petroleum Reserve – Alaska." The Amended IAP/EIS and this Supplement thereto are part of the process by which the Secretary will carry out that policy direction.

### **1.3 PROPOSED ACTION**

The BLM's proposed action has not changed from the Amended IAP/EIS. The Petroleum Reserve consists of 23 million acres located on the North Slope of Alaska (Maps 1-1 and 1-2). The Northeast NPR-A Planning Area consists of approximately 4.6 million acres located in the northeastern portion of the Petroleum Reserve. The BLM is amending its 1998 Northeast NPR-A IAP/EIS to consider making portions of the BLM-administered lands (public lands) in the Northeast NPR-A Planning Area available for oil and gas leasing that, pursuant to the terms of

the 1998 IAP/EIS ROD, are currently unavailable for leasing. In addition, BLM proposes to develop performance-based lease stipulations and Required Operating Procedures (ROPs) in the Planning Area similar to those stipulations and ROPs included in the Northwest NPR-A IAP/EIS ROD (Northwest IAP/EIS ROD; USDO I BLM and MMS 2004). The stipulations would apply to oil and gas activities, but the ROPs would apply to both oil and gas activities and non-oil and gas activities.

## 1.4 AUTHORITY

The BLM undertook the Amended IAP/EIS and this Supplement thereto in accordance with the Department of the Interior and Related Agencies' Fiscal Year (FY) 1981 Appropriations Act, the National Energy Policy, and the BLM's responsibilities to manage these lands under authority and direction of two laws passed in 1976; the Naval Petroleum Reserves Production Act (NPRPA) and the Federal Land Policy and Management Act (FLPMA). The Northeast NPR-A IAP/EIS addresses the BLM's responsibilities under the NPRPA and FLPMA through a National Environmental Policy Act (NEPA)-required process.

The authority for the management options in the IAP/EIS comes from several statutes, primarily the FLPMA and the NPRPA. Under FLPMA, the Secretary has broad authority to regulate the use, occupancy, and development of the public lands and to take whatever action is required to prevent unnecessary or undue degradation of the public lands (43 United States Code [USC] § 1732).

Under the NPRPA, the Secretary has the authority to conduct oil and gas leasing and development in the National Petroleum Reserve – Alaska (42 USC § 6506a). The Department of the Interior and Related Agencies' Fiscal Year (FY) 1981 Appropriations Act specifically directs the Secretary to undertake “an expeditious program of competitive leasing of oil and gas” in the Petroleum Reserve. The NPRPA also provides that the Secretary “shall assume all responsibilities” for “any activities related to the protection of environmental, fish and wildlife, and historical or scenic values” (42 USC § 6503(b)). In addition, the NPRPA authorizes the Secretary to “promulgate such rules and regulations as he deems necessary and appropriate for the protection of such values within the reserve.” The NPRPA's implementing regulations are found at Title 43, Part 2360, of the Code of Federal Regulations [CFR].

The NPRPA, as amended, contains special provisions that apply to any exploration or development activities within areas “designated by the Secretary of the Interior containing any significant subsistence, recreational, fish and wildlife, or historical or scenic value” (42 USC § 6504(a)). Based on this authority, the Secretary in 1977 designated two Special Areas within the planning area (Map 1-3), in which all activities were to “be conducted in a manner which will assure the maximum protection of such surface values to the extent consistent with the requirements of this Act for the exploration of the reserve.” (42 Federal Register 28,723; June 2, 1977). The Teshekpuk Lake Special Area, the great majority of which is within the planning area, was created to protect migratory waterfowl and shorebirds. The Colville River Special Area, about a third of which is in the planning area, was created to protect the Arctic peregrine falcon, which at that time was an endangered species. The alternatives presented in each of the plans BLM has developed for the northeastern part of the Petroleum Reserve recognize the importance of the resources of the Special Areas and present different means of providing “maximum protection” consistent with “exploration of the reserve.”

The Department of the Interior and Related Agencies' Fiscal Year (FY) 1981 Appropriations Act exempted the Petroleum Reserve from Section 202 of FLPMA (43 USC § 1712), which requires the preparation of land use plans (called Resource Management Plans, or RMPs, in regulations adopted by the BLM). Because of this exemption, neither the Amended IAP/EIS nor this Supplement thereto have been developed as a RMP (as most BLM planning efforts are called). Section 202 of FLPMA and its implementing regulations governing the preparation of RMPs (43 CFR Part 1600) do not apply to this plan.

## **1.5 NORTHEAST NATIONAL PETROLEUM RESERVE – ALASKA PLANNING AREA BOUNDARY**

The planning area for this Supplement is the same as for the Amended IAP/EIS. It does not address surface or sub-surface estates if owned by Alaska Native Claims Settlement Act (ANCSA) regional or village corporations, primarily located near the community of Nuiqsut; the surface lands within certified Native Allotments owned by private individuals; or the airstrip at Umiat, owned by the State of Alaska. However, the cumulative impacts of reasonably foreseeable activities on these adjacent non-federal lands are considered in the cumulative impact section of this Supplement (section 4.7, Cumulative Impacts). For a more extensive discussion of land status, see section 3.4.5.1, Land Ownership and Uses; for a map showing the boundary, see Map 1-2.

A few considerations regarding the boundary of the planning area are worth mentioning. The eastern boundary of the planning area is the eastern boundary of the Petroleum Reserve along the western bank of the Colville River. That boundary is defined in Executive Order (EO) 3797-A as the “highest highwater mark . . . on the [western] bank,” which the U.S. District Court for the District of Alaska construed to be “on and along the bank at the highest level attained by the waters of the river when they reach and wash the bank without overflowing it” (*Alaska v. U.S.*; case no. A78-069 Civ. December 7, 1984). Thus, neither the Colville River nor its banks immediately adjacent to the river are in the planning area. Most of the western boundary of the planning area is along the eastern bank of the Ikpiuk River, so that river is also outside the planning area. Finally, the U.S. Supreme Court (in *U.S. v Alaska*; No. 84, Orig. decided on June 19, 1997) determined that the NPR-A included tidally influenced waters and that those waters and the submerged lands underlying them did not transfer to the State of Alaska at statehood.

## **1.6 REQUIREMENTS FOR FURTHER ANALYSIS**

If there are one or more lease sales based upon this Supplement and associated ROD, the first sale under the ROD could occur in 2008, with subsequent lease sales approximately every 2 to 3 years thereafter. For analysis purposes, this Supplement assumes that all lands that the ROD determines should be available for leasing would be offered in the first sale. Readers should bear in mind, however, that the first sale, as well as any subsequent sale, might offer only a portion of the lands identified in the ROD as available, making possible a phased approach to leasing and development. The area offered would be within the area identified in the ROD of this Supplement as available for leasing. (If after proper NEPA analysis the BLM develops yet another ROD, it could make a different set of lands available). The timing of the second and subsequent sales, if any, would depend in part on the response to the first sale and the results of the exploration that follows.

The BLM anticipates that this Supplemental IAP/EIS will fulfill the NEPA requirements for the first lease sale and for any potential renegotiations of the stipulations of previously leased tracts (Map 1-4) in the planning area. Prior to conducting each additional sale, the agency would conduct a determination of the existing NEPA adequacy. If BLM finds its existing analysis to be adequate, the NEPA analysis for any second or subsequent sale may require only an administrative Determination of NEPA Adequacy or an EA to support the ROD.

Future actions requiring BLM approval, including a proposed exploratory drilling plan or proposed construction of infrastructure for development of a petroleum discovery, would require further NEPA analysis based on specific and detailed information about where and what kind of activity is proposed. Additional site-specific terms and conditions may be required by the AO under the authority of 43 CFR 3131.3 prior to authorizing any such activity.

## **1.7 CONSISTENCY WITH FEDERAL, STATE, AND LOCAL LAWS AND REGULATIONS**

BLM and any leaseholder or applicant for a BLM permit or other authorization must comply with numerous federal laws that govern activities on public lands. The Clean Air Act (CAA), as revised in 1990, governs air pollutant emissions, and requires the U.S. Environmental Agency (EPA) and states to carry out programs to assure attainment of the National Ambient Air Quality Standards (NAAQS). The Clean Water Act (CWA) regulates discharges into waters of the United States, including wetlands. The Resource Conservation and Recovery Act (RCRA) regulates the treatment, storage and disposal of solid and hazardous wastes, while the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) regulates how to clean up releases of hazardous substances and the notification of agencies in case of a release.

Several laws pertain to the protection of plants and animals and their habitats. The Endangered Species Act (ESA) provides for conserving endangered and threatened species of plants and animals. The ESA also requires that federal agencies consult with the U.S. Fish and Wildlife Service (USFWS) and the National Oceanic and Atmospheric Administration (NOAA) Fisheries Service to ensure that any actions that they authorize, fund, or carry out are not likely to jeopardize the continued survival of a listed species or result in the adverse modification or destruction of its critical habitat. The Magnuson-Stevens Fishery Management and Conservation Act requires consultation with the NOAA Fisheries Service on Essential Fish Habitat.

The Fish and Wildlife Conservation Act of 1980 encourages federal agencies to conserve and promote the conservation of non-game fish and wildlife species and their habitats. The Migratory Bird Treaty Act makes it unlawful to directly, or indirectly, harm migratory birds. The Sikes Act authorizes the USDOJ to plan, develop, maintain, and coordinate programs with state agencies for the conservation and rehabilitation of wildlife, fish, and game on public lands.

The Coastal Zone Management Act of 1972 was re-authorized with the passage of the Coastal Zone Management Act (CZMA) Re-Authorization Amendments of 1990. The act requires states to develop coastal zone management plans and requires states to develop and implement Coastal Nonpoint Pollution Control Programs. The act also requires the NOAA and USEPA to develop guidance and implementation documents for nonpoint pollution of coastal waters.

The Wild and Scenic Rivers Act (WSRA) of 1968 requires that in all land and water use planning for development, consideration “shall be given by all federal agencies involved to potential wild, scenic, and recreational river areas...” (16 USC § 1276(d)). The Act was created to help preserve rivers from being dammed, channelized, and over-developed and requires that BLM address wild and scenic river values in its planning efforts. The act establishes a National Wild and Scenic Rivers System and prescribes the methods and standards through which additional rivers may be identified and added to the system.

The Rivers and Harbors Act of 1899 prohibits the construction of any bridge, dam, dike, or causeway over or in navigable waterways of the U.S. without U.S. Army Corps of Engineers (USACE) approval. Under Section 10 of the Act, the building of any wharves, piers, jetties, or other structures is prohibited without USACE approval, and excavation or fill within navigable waters requires the approval of the Chief of Engineers, USACE.

Laws and acts that pertain to the protection of historic and cultural resources and the rights of Alaska Native groups include the Historic Sites Act of 1935, which provides for the preservation of historic American sites, buildings, objects, and antiquities of national significance. The National Historic Preservation Act of 1966 (NHPA) requires Federal agencies to take into account the potential effects of their actions on properties that are listed or are eligible for listing on the National Register of Historic Places (NRHP), and to consult with State Historic Preservation Officers (SHPOs) and local governments regarding the effects of federal actions on historic properties. The Archeological Resources Protection Act prohibits the excavation, removal, damage, or other alteration or defacement of archaeological resources on federal or Indian lands without a permit.

The American Indian Religious Freedom Act of 1978 requires federal land managers to include consultation with traditional Native American or Alaska Native religious leaders in their management plans. The Native American Graves Protection and Repatriation Act of 1990 recognizes the property rights of Alaska Natives in certain cultural items, including Alaska Native human remains and sacred objects. Section 810 of the ANILCA addresses issues related to the effects of proposed activities on subsistence. An ANILCA Section 810 notice and public hearing process is required if a proposed action may have significant impacts on subsistence resources or uses. An evaluation and proposed finding of effects on subsistence resources from actions that could be undertaken under this Supplement, provided in Appendix A, was based on information contained in this Supplement, and from public comments.

The FLPMA of 1976 directs BLM to “take any action necessary to prevent unnecessary or undue degradation of public lands” and to develop resource management plans consistent with those of state and local governments to the extent that BLM programs also comply with federal laws and regulations. The NPRPA of 1976 delegates authority to the BLM for surface management of the National Petroleum Reserve – Alaska and protection of surface values from environmental degradation, and encourages the preparation of rules and regulations necessary to carry out its surface management and protection duties.

This IAP/EIS follows the guidelines in several Executive orders, including, but not limited to:

- Executive Order 11988, Floodplain Management, which was issued in order to avoid, to the extent possible, the long and short-term impacts associated with the occupancy and modification of floodplains and to avoid direct or indirect support of floodplain development wherever there is a practicable alternative.

- Executive Order 11990, Protection of Wetlands, which directs federal agencies to “minimize the destruction, loss, or degradation of wetlands, and enhance and preserve the natural and beneficial values of wetlands” when carrying out actions on federal lands.
- Executive Order 12898, Environmental Justice, requires that federal agencies address the disproportionate effects of their actions on minority populations and on low-income populations.
- Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, directs federal agencies to ensure meaningful and timely input by tribal officials in the development of regulatory policies that have tribal implications.”

The State and the NSB require permits for certain activities within the planning area. These are discussed in section 1.8. The NSB believes that it has concurrent jurisdiction within the NPR-A derived from the jurisdiction transferred to the state under the Alaska Statehood Act and the Borough's status as a home rule municipality. It is BLM's policy to consider the NSB's Land Management Regulations to the extent practical in any decision within NPR-A. Although BLM acknowledges the NSB's local land use plan, it is BLM's position that the Borough's plans cannot prohibit activities on Federal lands. All activities on Federal lands must be authorized by BLM.

## **1.8 FEDERAL, STATE, AND NORTH SLOPE BOROUGH PERMITS AND APPROVALS NEEDED TO UNDERTAKE ON-THE-GROUND ACTIVITIES**

The following discussion focuses on some of the permits that would be required by various agencies during any oil and gas exploration or development activities in the planning area. This is only a partial listing; a more inclusive list is provided in Appendix B.

The USACE administers two permits relevant to proposed oil and gas activities in the planning area. The first permit is issued pursuant to Section 404 of the Clean Water Act, which addresses the discharge of dredged or fill material into waters of the U.S., including wetlands. In addition, the Alaska Department of Environmental Conservation (ADEC) must certify that the 404 permit meets state water quality standards. To meet Section 404 requirements, any future NEPA document would describe the project's components, identify the type and amount of wetlands and other waters affected by each alternative, describe anticipated impacts, and discuss mitigation measures that could minimize impacts to these resources.

Section 10 of the Rivers and Harbors Act of 1899 is the source for the second USACE-administered permit. To address the requirements of this section, as they pertain to construction of structures or work in or affecting navigable waters of the U.S., any future NEPA document must describe the navigable waters of the U.S. within the project area and how structures in, on, or over these waters would affect them during construction and operation. The NEPA document would describe the alternatives and compare possible impacts to coastal integrity and navigation for each alternative. It would also discuss mitigating measures to minimize these impacts. In addition, Section 10 of the Rivers and Harbors Act requires that an applicant desiring to build a bridge across a navigable stream obtain a permit from the U.S. Coast Guard. The Coast Guard is responsible to assure that such a bridge does not obstruct or alter a navigable stream.



The USEPA and authorized states issue National Pollution Discharge Elimination System (NPDES) permits required by the Clean Water Act. To provide information for these permits, any future NEPA document would describe existing water quality and the quantity of water requirements for the proposed project, expected pollutants and their concentrations, and the quality and locations of wastewater treatment facilities and discharges. The USEPA administers, and the ADEC issues, other Clean Water Act mandated permits for Waste Water Authorization, Oil Discharge Prevention and Contingency Plans, Storm Water Discharge, and Underground Injection Authorizations.

Alaska's Department of Natural Resources issues Temporary Water Use and Water Rights permits, Fish Habitat permits (authority to issue Fish Habitat permits will be moved to the Alaska Department of Fish and Game in the summer of 2008), Cultural Resources Concurrences, and other authorizations for activities associated with oil and gas development. Under their State Implementation Plan, the ADEC issues Prevention of Significant Deterioration (PSD) and other air quality permits. Any future NEPA document would provide an analysis of meteorological factors and air quality baseline conditions, and would predict impacts to air quality during construction and operation to provide information necessary to evaluate the issuance of these permits.

The ADEC is responsible for issuing several permits and plan approvals for oil and gas exploration and development activities, including the storage and transport of oil and cleanup of oil spills. The Alaska Oil and Gas Conservation Commission is responsible for issuing drilling permits and for production, injection, and disposal plan approvals for exploration and development activities in the State of Alaska.

Finally, the NSB, as a Home Rule Borough, issues development permits and other authorizations for oil and gas activities under the terms of its ordinances.

## **1.9 INTERRELATIONSHIPS AND COORDINATION WITH OTHER AGENCIES AND GOVERNMENT-SPONSORED GROUPS**

The BLM coordinates with state and local agencies to satisfy the requirements of several acts, including the Sikes Act, FLPMA, and Section 106 of the NHPA. The BLM coordinates closely with state resource management agencies on issues involving the management of public lands and protection of fish and wildlife populations, including federal and state-listed threatened and endangered species. The BLM coordinates at the national and local level with several resource advisory groups, including the BLM Resource Advisory Council.

To ensure local participation in the decision-making process as it relates to subsistence in the NPR-A, BLM established a local Subsistence Advisory Panel (SAP). The individual tribal governments of Anaktuvuk Pass, Atkasuk, Barrow, Nuiqsut, Point Lay, and Wainwright; as well as the Iñupiat Community of the Arctic Slope (ICAS), a regional tribal entity; and the North Slope Borough (NSB) are all represented on the panel. The SAP's purview encompasses all of the NPR-A, including the planning area. The responsibilities of this panel are and will continue to be to:

- Provide recommendations to BLM concerning planning, research, monitoring, and assessment activities needed to facilitate responsible development and to protect subsistence resources and uses in the NPR-A;

- Identify potential conflicts between subsistence use and other resource uses;
- Inform local communities about agency actions affecting subsistence resources and uses in the planning area;
- Inform agencies of panel activities;
- Work with the NSB to maintain a repository of subsistence information concerning the planning area for local communities and agencies; and
- Help BLM ensure continuity and consistency in the collection and use of subsistence information by the advisory panel and other groups.

The panel is responsible for reviewing resource-related development plans within the planning area and issuing recommendations to BLM regarding whether the plans adequately consider subsistence. The BLM will work with the panel and any permittees to resolve conflicts between subsistence use and resource development. The BLM will work closely with the panel to develop a plan to monitor the effects of development on subsistence resources and users. Should monitoring identify the existence of impacts on subsistence uses, the panel would make recommendations to BLM regarding: 1) additional mitigating measures, 2) potential relocation of operations or redesign of facilities, and 3) more effective mechanisms for enforcement of subsistence stipulations.

## 1.10 CONSULTATION

The BLM consulted with Alaska Native groups both during the Amendment and the Supplement processes to identify the cultural values, religious beliefs, traditional practices, and legal rights of Alaska Native groups that could be affected by BLM actions. Consultation activities during the Amended IAP/EIS process included sending out letters to Alaska Native groups that could be directly affected by the proposed activities, holding numerous meetings with Native groups, and requesting information on how the proposed activities could impact Alaska Native interests, including the use of wildlife for subsistence, religious, and ceremonial purposes. In December 2006, BLM sent letters to the Iñupiat Community of the Arctic Slope and five village tribes initiating government-to-government consultation and requesting input particularly on measures that could reduce impacts to resources and uses that could be impacted by oil and gas activities. The tribes were invited to provide input not only during the initial commenting period, but throughout the planning process. Consultation activities with Alaska Native groups are ongoing. Further information is provided in Chapter 5 (Consultation and Coordination).

The BLM consulted with the Alaska SHPO during the Amended IAP/EIS process as part of Section 106 consultation under the NHPA to determine how proposed industrial activities could impact cultural resources listed on or eligible for inclusion in the NRHP. With a letter of February 1, 2007, BLM initiated consultation with the SHPO for the Supplemental IAP/EIS. Formal consultations with SHPO also may be required during implementation of individual projects. Consultations with SHPO are ongoing and will be completed by the time of the signing of the ROD.

The BLM consulted with the USFWS and NOAA Fisheries Service as required under Section 7 of the ESA during the Amended IAP/EIS process and prepared a Biological Assessment (BA). As part of the Supplemental IAP/EIS, BLM reinitiated consultation with both agencies with letters of March 20, 2007. The letters included a description of the Supplement's contemplated actions, notified the agencies that BLM intends to prepare two new BAs, and identified the threatened,

endangered, and proposed species that the BAs would address. The BLM has prepared two BAs and the ROD will not be signed until consultation is concluded.

The BLM is consulting with the State of Alaska to ensure that the mandates of the CZMA are met. The required compliance documentation will be included in the Supplemental IAP/EIS ROD.

## **1.11 PUBLIC INVOLVEMENT AND KEY ISSUES**

As part of its NEPA process, BLM has considered a wide range of issues related to actions that it may authorize in the planning area, including those that might result from potential oil and gas-related impacts to the environment. The BLM used the scoping process to decide which issues were most relevant to the alternatives under consideration and to help focus the analysis. The BLM initially defined the issues in the planning area through the Amended IAP/EIS's scoping process initiated in June, 2003. Scoping meetings were held in October and November of that year in Anaktuvuk Pass, Anchorage, Atkasuk, Barrow, Fairbanks, and Nuiqsut. In undertaking a Supplemental IAP/EIS, BLM is not required to conduct formal scoping (40 CFR 1502.9(c)(4)). Nevertheless, in issuing a Notice of Intent to prepare the Supplement, BLM invited the public to comment on issues of interest, particularly recommended mitigation measures.

The issues addressed in this Supplement are the same as those identified for the Amended IAP/EIS and include: impacts to water resources; waterfowl, shorebirds, and their habitats; caribou, polar bear, and grizzly bear; wilderness values and NPR-A Special Areas; cultural resources; subsistence; and society, public health, and economics; as well as the negative and positive impacts associated with oil and gas exploration and development (including transportation and other oil- and gas-related infrastructure) and questions revolving around existing and proposed new stipulations and Required Operating Procedures (ROPs).

The NSB, our cooperating agency in this Supplement, and NSB residents in previous public testimony related to oil and gas development have highlighted public health as an area in need of systematic attention, especially given residents' reliance on the subsistence resources of the planning area, and as a result BLM, with the assistance of the NSB, has added new information regarding the state of, and the potential impacts to, public health. Analysis of these impacts is also consistent with Section 302 of FLPMA, which outlines BLM's responsibility to protect public health and safety, and Executive Order 12898, which directs agencies to address Environmental Justice and requires them to identify and address the potential effects, including health impacts, of their programs, policies, and activities on minorities and low-income populations and communities. In addition to providing more information on the potential impacts to public health, this Supplement, in compliance with NEPA, presents potential new mitigation measures to address potential adverse impacts to public health. These measures are in addition to the protective measures incorporated in the alternatives themselves as lease stipulations and ROPs. This information is presented in separate description and analysis sections in Chapters 3 and 4 rather than being presented within the context of other topics, such as subsistence or sociocultural systems, as has been done previously.

## 1.12 PREVIEW OF THE REMAINDER OF THE SUPPLEMENTAL IAP/EIS

As with the Amended IAP/EIS, the format of this IAP/EIS follows guidance provided by CEQ and BLM NEPA Handbook H-1790-1 (USDOI BLM 1988). Figure 1-1 shows the types of information found in the IAP/EIS, and where it is located.

**Figure 1.1 How this IAP/EIS is Organized**

### **VOLUME 1**

**Chapter 1 – Introduction:** Summarizes the purpose of and need for this Supplemental IAP/EIS, and decisions to be made.

**Chapter 2 – Alternatives:** Describes and compares proposed management alternatives.

**Chapter 3 – Affected Environment:** Presents existing natural and socioeconomic resources at the Northeast NPR-A.

### **VOLUME 2**

**Chapter 4 – Environmental Consequences (sections 4.1 – 4.6):** Evaluates impacts of the alternatives on resources in the Northeast NPR-A and the cumulative and other effects relevant to making a decision among the alternatives.

### **VOLUME 3**

**Chapter 4 – Environmental Consequences (continued: sections 4.7 – 4.12).**

### **VOLUME 4**

**Chapter 5 – Consultation and Coordination:** Describes public and government (including tribal) consultation undertaken for this plan, development of alternatives, and lists preparers of the Supplemental IAP/EIS.

**Chapter 6 – Comments and Responses:** Presents public comments on the Draft Supplemental IAP/EIS and responses to the comments.

### **VOLUME 5**

#### **Appendices**

Appendix A: ANILCA Section 810 Analysis of Subsistence Impacts

Appendix B: Federal, State, and Local Permits and/or Approvals for Oil and Gas Exploration, Development, and Production Activities

Appendix C: Essential Fish Habitat

Appendix D: Alternative A Stipulations

Appendix E: Alternatives B and C Stipulations and Required Operating Procedures

Appendix F: Alternative D Stipulations and Required Operating Procedures

Appendix G: Examples of Public Health Mitigation Strategies

Appendix H: Common, Scientific and Iñupiaq Names of Species Listed in Supplemental IAP/EIS

Appendix I: Historic Sites

Appendix J: BLM Sensitive Species List for Alaska

Appendix K: Information, Models, and the Assumptions Used to Analyze the Effects of Oil Spills

Appendix L: 1998 Northeast NPR-A Record of Decision

**Bibliography, Glossary, and List of Acronyms**

### **VOLUME 6: Maps**